

City Council  
Atlanta, Georgia

01-0-1516

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-01-68/Z-84-29  
DATE FILED: 8-14-01

AN ORDINANCE TO AMEND ORDINANCE Z-84-29, ADOPTED BY CITY COUNCIL AUGUST 20, 1984 AND APPROVED BY OPERATION OF LAW AUGUST 28, 1984, REZONING FROM THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT TO THE C-1-C (COMMUNITY BUSINESS-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT THE **SOUTHWEST CORNER OF CAMPBELLTON ROAD AND COUNTY LINE ROAD, S.W.** FOR THE PURPOSE OF APPROVING A REVISED SITE PLAN.

OWNER: ANCHOR PARTNERS, LLC

APPLICANT: ANCHOR PARTNERS, LLC

BY: J.H. LAWRENCE III, VICE PRESIDENT

NPU-P

COUNCIL DISTRICT 11

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That Ordinance Z-84-29, adopted by the City Council August 20, 1984 and approved by Operation of Law August 28, 1984 rezoning from the RG-2 (Residential General-Sector 2) District to the C-1-C (Community Business-Conditional) District, property located at **the Southwest Corner of Campbellton Road and County Line Road, S.W.**, more particularly described by the attached legal description, is hereby amended by deleting the currently approved conditional site plan and substituting therefore a new site plan entitled "Notting Hill at Sandtown, Illustrative Conceptual Master Plan" prepared by Scott Land Planning and Design, Inc., undated, and marked received by the Bureau of Planning August 14, 2001.

SECTION 2. That all other conditions governing the development of this property are hereby deleted in their entirety.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

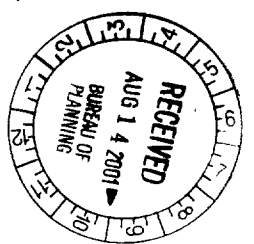
Deputy Clerk

ADOPTED as amended by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

DEC 03, 2001

DEC 12, 2001

2-01-68 / 2-84-25



# Notting Hill at Sandtown

Illustrative Conceptual Master Plan

Atlanta, Georgia

Developed by:  
Anchor Partners, LLC  
Atlanta, Georgia

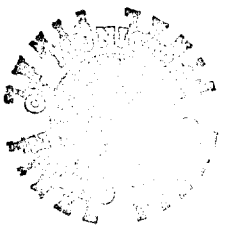
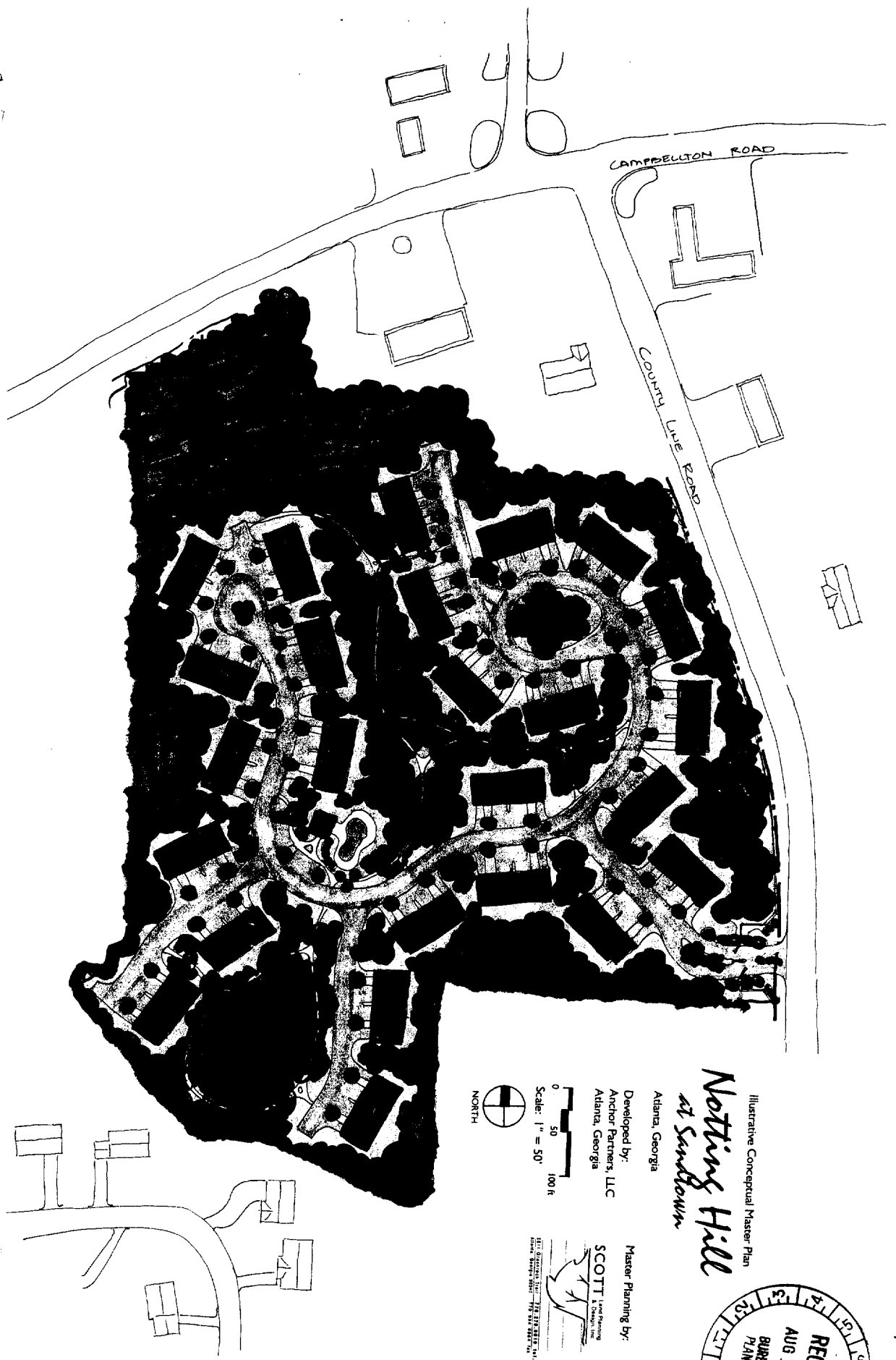
Master Planning by:

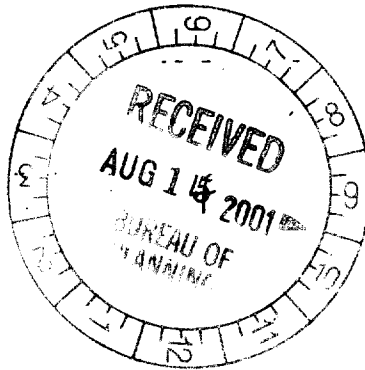
SCOTT & BROWN  
PLANNING

1111 GARDEN LANE, SUITE 200  
ATLANTA, GEORGIA 30309-3000  
404.525.8888 FAX 404.525.8887



0 50 100 ft  
Scale: 1" = 50'





2-01-68/2-84-29

2-84-29

LEGAL DESCRIPTION

Tract 2

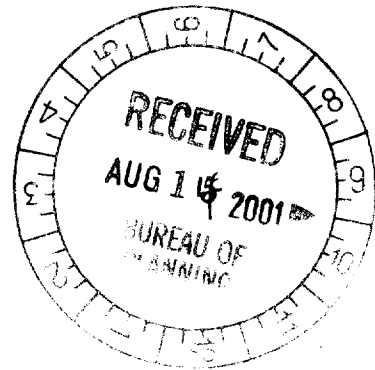
All that tract or parcel of land lying and being in Land Lots 43 and 65 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

From the point of intersection of Land Lots 43 and 65 at an iron pin located on the southern right-of-way line of Campbellton Road (an 80 foot right-of-way) running southwesterly a distance of 168.13 feet to an iron pin; thence continuing along said right-of-way of Campbellton Road a distance of 156.26 feet being an arc having a chord of South  $64^{\circ}18'39''$  West to the POINT OF BEGINNING; thence South  $0^{\circ}53'38''$  West a distance of 219.18 feet to a point; thence North  $67^{\circ}43'01''$  East a distance of 205.40 feet to an iron pin; thence North  $67^{\circ}43'01''$  East a distance of 112.40 feet to an iron pin; thence South  $3^{\circ}09'51''$  West a distance of 58.79 feet to an iron pin; thence South  $85^{\circ}43'40''$  East a distance of 220.41 feet to an iron pin lying on the westerly right-of-way line of County Line Road; thence continuing along said right-of-way South  $21^{\circ}14'13''$  East a distance of 152.15 feet to a point; thence continuing along said right-of-way line of County Line Road a distance of 342.47 feet being an arc of 344.81 feet having a radius of 853.60 feet and a chord of South  $9^{\circ}39'53''$  East to a point; thence continuing along said right-of-way line of County Line Road South  $1^{\circ}54'27''$  West a distance of 80.56 feet to an iron pin; thence North  $87^{\circ}51'40''$  West a distance of 364.73 feet to an iron pin located at the intersection of Land Lots 43 and 65; thence North  $86^{\circ}43'50''$  West a distance of 329.11 feet to an iron pin; thence North  $0^{\circ}53'38''$  East a distance of 665.00 feet to an iron pin lying on the southerly right-of-way line of Campbellton Road; thence continuing along said right-of-way line of Campbellton Road a distance of 75.0 feet (being an arc having a chord of North  $64^{\circ}18'39''$  East) to the POINT OF BEGINNING; said tract containing 8.624 acres as shown on survey prepared by Jack R. Busby, Registered Land Surveyor for O'Neill Developments, Inc., dated February 10, 1983, and being designated Tract 2 thereon.

Tract 3

All that tract or parcel of land lying and being in Land Lot 65 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

From the point of intersection of Land Lots 43 and 65 at an iron pin located on the southern right-of-way line of Campbellton Road (an 80 foot right-of-way) running southwesterly a distance of 168.13 feet to an iron pin; thence continuing along said right of way of Campbellton Road in an arc of 231.26 feet having a radius of 1,331.10 feet and a chord of South 64°18'39" West to an iron pin; thence South 0°53'38" West a distance of 665.00 feet to an iron pin which is the POINT OF BEGINNING; thence South 86°43'50" East a distance of 329.11 feet to an iron pin; thence South 2°57'10" West a distance of 281.48 feet to an iron pin; thence South 4°32'51" West a distance of 11.76 feet to an iron pin; thence North 69°44'14" West a distance of 235.61 feet to an iron pin; thence South 85°05'23" West a distance of 59.74 feet to an iron pin; thence North 34°00'49" West a distance of 176.97 feet to an iron pin; thence North 60°04'38" East a distance of 75.94 feet to an iron pin; thence North 0°53' East a distance of 50.57 feet to the POINT OF BEGINNING; said tract containing 1.944 acres as shown on survey prepared by Jack R. Busby, Registered Land Surveyor, for O'Neill Development Inc., dated February 10, 1983, and being designated Tract 3 thereon.



2-01-65/2-84-29



**THE APPLICANT, ANCHOR PARTNERS, LLC, EXPRESSLY AGREES TO COMPLY WITH AND FULFILL EACH OF THE FOLLOWING CONDITIONS WHICH ARE EXPRESSLY MADE A PART OF THE REQUEST FOR SITE PLAN AMENDMENT DESIGNATED Z-01-68/Z-84/29.**

1. The subject property ("Property") which consists of approximately 10.5 acres of land located in Land Lots 43 and 65 of the 14<sup>th</sup> District of Fulton County, Georgia shall be limited to the development of one hundred (100) residential units, which shall be utilized as townhomes owned by private entities. Subject to the provisions of condition #6 hereinbelow, the Property shall be developed in accordance with site plan designated "Notting Hill at Arlington" by Scott Land Planning and Design, Inc. (the "Site Plan"). A reduced copy of the Site Plan is attached hereto as Exhibit "A." There shall be a minimum undisturbed screening buffer (enhanced where necessary) of 35 feet on all sides of the development. This buffer shall be disturbed only for access and utilities.
2. Ingress and egress to the Property shall be limited to County Line Road at the point exactly as shown on the Site Plan. The Applicant agrees to, at its cost and expense, to construct and maintain, a deceleration lane on the west side of County Line Road at the point of ingress and egress as approved by the City of Atlanta to allow for safe entry into the Property. Applicant agrees to dedicate for public right-of-way a segment of land south of the entrance and exit to the Property (as shown on the Site Plan) for an acceleration lane, and to construct so much of said lane as is possible in order to allow for smooth entry of vehicles making a right-hand turn to exit the Property as may be permitted by the City of Atlanta. Notwithstanding any other provisions herein, Applicant agrees to make all reasonable efforts to obtain a means of access to Property from Campbellton Road across Property's frontage on Campbellton Road.
3. Applicant agrees that the point(s) of ingress and egress shall not be gated and that the Property shall be developed in such a way as to generally appear to be connected to and a part of the general area and will not be designed and developed in such a way as to be isolated from the community. Applicant agrees not to utilize gates, fences, walls or other similar design features to separate the Property from the other portion of the community, except as said items are used for decorative purposes or for security along any side of the Property except the County Line Road frontage and the southwest portion of the Property, except as may be required by the City of Atlanta Code; provided, however, a fence shall be permitted on the north side contiguous to C-1 zoned property.
4. All lighting on the Property shall be low hanging and be maintained at as low a level as possible, and shall be aimed inward and downward and designed and shielded to eliminate all glare or light spillage onto adjoining properties. The Property shall be utilized only as shown by the Site Plan and for no other purposes.
5. Applicant will provide for on-site parking on the Property at a rate of 110% of the parking required by the Atlanta Zoning Ordinance in order to be assured that there will be no parking or congestion along County Line Road or Campbellton Road.
6. Applicant agrees that prior to obtaining any permits for the development of any portion of the Property, Applicant will reconfigure the development to accomplish and achieve the following goals: delineate the specific areas as shown with no buildings on the southwest side of Property (as shown in pencil on Exhibit "A") (along with access thereto from County Line Road), leaving the area undeveloped, except that Applicant may locate therein a stormwater retention facility provided that an area no greater than approximately twenty (20) feet surrounding said facility shall be disturbed by the installation of the same, and which shall be referred to as the "Southwest Greenspace."

Applicant agrees to cooperate and work with the community in reconfiguring the development on the Property to achieve the goal set forth hereinabove, and Applicant expressly agrees that it shall not seek or obtain any permits in any sense whatsoever for the development of the Property until it has cooperated with and reconfigured the development.

Applicant expressly agrees that prior to seeking or obtaining any permits for the development of the Property, Applicant shall enter into restrictive covenants and conservation easements in a form reasonably satisfactory to the Committee dedicating the Southwest Greenspace to be utilized for green space and a passive park by the community and neighbors within the area, and for the preservation of said Southwest Greenspace for passive parks and general use by occupants of the development and the community in general. The note shown on the Southwest Greenspace on the Site Plan designating the area for future potential amenities is omitted, and the Southwest Greenspace shall be used only as Greenspace, a passive park or for storm water detention or retention areas for the development. No other amenities shall be located in the Southwest Greenspace.

Applicant recognizes and agrees that the Committee shall be composed of five (5) members of the neighborhood, who shall be as follows: (i) Mr. Irving O. Harris; (ii) Mr. Charles Bryant; (iii) Mr. L. J. Craddock; (iv) Mr. Lewis Woodson; and (v) Mr. Curtis Wheeler. The Committee shall act on behalf of the best interests of the property owners and community surrounding the Property. It is understood and agreed that only a majority of the Committee (3 parties) are authorized to

approve the items set forth in this paragraph 6, and this approval shall be achieved by obtaining the written approval of at least three (3) members of the Committee.

7. (a) As a part of the construction of the Property, Applicant shall make every effort to re-direct existing storm water run-off from the Property, which currently drains into the adjacent residential community located to the southwest of the Property, in a manner which attempts to alleviate the existing run-off problems to adjacent property. At a minimum, the Applicant shall satisfy all requirements for the retention of storm water imposed by the City of Atlanta and the State of Georgia that require that water run-off be retained at 110% of the existing rate. Applicant shall prepare and provide any and all studies required by the City of Atlanta and/or the State of Georgia to verify compliance with this requirement. To ensure compliance with these standards, all plans submitted to the City of Atlanta Public Works Department to determine compliance with City and State requirements shall simultaneously be submitted to an independent engineer identified by Arlington Estates Community Association for review and comment.

(b) Prior to receiving a certificate of occupancy for the Property, Applicant shall provide a certificate from the City of Atlanta verifying sewer capacity for the project.

Notwithstanding any other provision of this Paragraph 7, Applicant agrees to submit to the Committee for its review of any and all plans, applications, or specifications for or related to storm water, surface water downstream drainage or sanitary sewer at least ten (10) days prior to submitting same to the City of Atlanta.

8. As a part of the construction of this residential development, the Applicant shall make every effort to redirect existing storm water runoff from the Property, which currently runs and drains into the adjacent residential community located to the southwest. Applicant's efforts will be designed to alleviate the existing surface water runoff problems for adjacent properties. Applicant expressly agrees that it will develop a retainage and detention system on the Property which will satisfy the retention and storm water rules, regulations, statutes and ordinances of the City of Atlanta and the State of Georgia at a rate of at least ten percent (10%) greater than those imposed by said governmental entities.

9. Applicant agrees that these residential units are being constructed for ownership by individual owners, and these residential units are not to be leased, rented or utilized generally as apartments, except to the limited extent of 10% thereof and the Homeowner's Association documents shall include this limitation. In addition, Applicant shall require all owners of the individual residential units to be members of a homeowner's association, who shall be required to pay mandatory dues for, among other things, the maintenance, upkeep, and preservation of the common areas of and the Property in general.

10. Applicant agrees that it shall take all steps possible to assure that all impact fees collected, levied, or charged by the City of Atlanta in regard to the Property and its development on Property are utilized and spent in the immediate area of the Property to improve the community surrounding the Property.

11. Applicant agrees to seek to preserve as many trees as is reasonably possible, and to develop the Property in accordance with the City of Atlanta Tree Ordinance. In this regard, prior to the removal of any trees from the Property, the Applicant shall invite residents of the adjacent residential neighborhood located to the southwest, by providing notice the President of the Arlington Estates Civic Association, to inspect the boundaries of the delineated tree protection area, in order to confirm consistency with the Site Plan or the Site Plan.

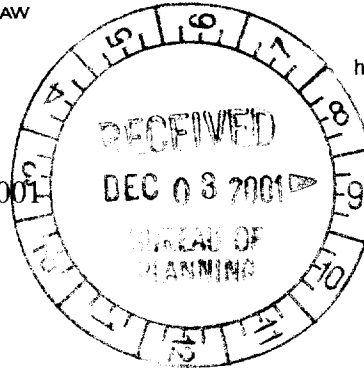
12. Applicant agrees to meet with representatives of Arlington Estates Civic Association and NPU-P to assist in the development of a master plan for the intersection of Courty Line Road and Campbellton Road.

LONG ALDRIDGE  
& NORMAN<sup>LLP</sup>  
ATTORNEYS AT LAW

M. HAKIM HILLIARD  
(404) 527-8329

EMAIL ADDRESS  
hhilliard@lanlaw.com

December 3, 2001



**VIA FACSIMILE AND HAND-DELIVERY**

The Honorable Debi Starnes, Chairperson  
Zoning Committee of Atlanta City Council  
55 Trinity Avenue, SW  
Atlanta, Georgia 30335

John Bell, Zoning Administrator  
City of Atlanta Bureau of Planning  
55 Trinity Avenue, SW  
Atlanta, Georgia 30335

The Honorable Jim Maddox  
Atlanta City Council  
55 Trinity Avenue  
Atlanta, Georgia 30335

Re: Anchor Partners, LLC Application for Site Plan Amendment; No. Z-01-68/Z-84-29

Chairperson Starnes, Councilman Maddox and Mr. Bell:

This letter is prepared to advise you that Anchor Partners, LLC and representatives of the affected neighborhoods have reached an agreement on the above-referenced request by Anchor Partners for a site plan amendment. The parties agree that the site plan amendment be approved on condition that items no. 1-12, attached hereto, be approved and included as a part of Anchor Partners request. Several neighborhood representatives, with the assistance of Attorney Jim Ney, put forth substantial time and energy towards reaching this agreement. We also appreciate Councilman Maddox's leadership in encouraging an open discussion of the issues which led to the agreement.

Based upon the foregoing, we request that the above-referenced be approved with the attached conditions. Mr. Ney has reviewed this letter and authorized me to affix his signature hereto as evidence of the neighbors' support of this request.

Thank you for your thoughtful attention to this matter. Please call Mr. Ney or I if you have any questions. Otherwise, I will be in attendance at the City Council meeting on December 3<sup>rd</sup>. and would be happy to answer any outstanding questions at that time.

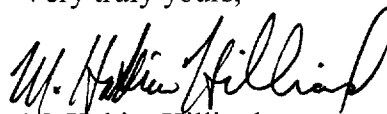
303 PEACHTREE STREET • SUITE 5300  
ATLANTA, GEORGIA 30308  
404 527-4000 • FACSIMILE 404 527-4198

WASHINGTON, D.C. OFFICE  
701 PENNSYLVANIA AVENUE, N.W. • SUITE 600  
WASHINGTON, D.C. 20004  
202 624-1200 • FACSIMILE 202 624-1298

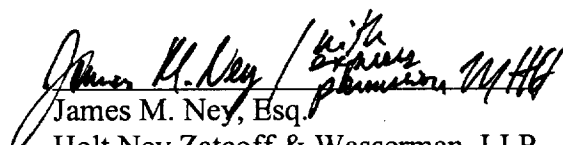
ATLANTA:4367861.1

The Honorable Jim Maddox  
December 3, 2001  
Page 2

Very truly yours,



M. Hakim Hilliard



James M. Ney, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 600  
Atlanta, Georgia 30339-5911  
770.956.9600

MHH:mhh

cc: John Lawrence  
Charles Bryant  
Irving Harris  
Sharon A. Gay, Esq.



RCS# 3350  
12/03/01  
8:55 PM

Atlanta City Council

Regular Session

01-O-1516            Z-01-68/Z-84-29; SW Corner Campbellton  
                      Rd. & County Line Rd. SW  
                      ADOPT AS AMEND

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	NV Muller	NV Boazman	NV Pitts

01-O-1516

**LARGE ATTACHMENT:**

**DOCUMENT(S),**

**MANUAL(S)**

**OR**

**MAP(S)**

**NOT COPIED,**

**PULL ORIGINAL**

**FOR COPY OR TO VIEW**

01-0-1516

(Do Not Write Above This Line)

AN ORDINANCE Z-01-68/Z-84-29  
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE  
Z-84-29, ADOPTED BY CITY COUNCIL  
AUGUST 20, 1984 AND APPROVED BY  
OPERATION OF LAW AUGUST 28, 1984,  
REZONING FROM THE RG-2 (RESIDENTIAL  
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C-1-C (COMMUNITY BUSINESS-CONDITIONAL)  
DISTRICT, PROPERTY LOCATED AT THE  
SOUTHWEST CORNER OF CAMPBELLTON ROAD  
AND COUNTY LINE ROAD, S.W. FOR THE  
PURPOSE OF APPROVING A REVISED SITE  
PLAN.

OWNER: ANCHOR PARTNERS, LLC  
APPLICANT: ANCHOR PARTNERS, LLC  
BY: J.H. LAWRENCE III - VICE PRESIDENT  
NPU-P COUNCIL DISTRICT 11

ADOPTED BY  
DEC 03 2001

COUNCIL

*As Amended*

- ☐ CONSENT REFER  
☒ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER

Date Referred 9/17/01

Referred To: ZRB & Zoning

Committee *Committee of the Whole*  
Date 9-17-01  
Chair *Debra Stans*

First Reading

Committee <i>Consent</i>	Committee
Date <i>10-30-01</i>	Date
Chair	Chair
Actions: Fav, Adv, Held (see rev. side) Other:	Actions: Fav, Adv, Held (see rev. side) Other:
Members	Members
Refer To	Refer To

Committee <i>Committee of the Whole</i>	Committee
Date <i>12-03-01</i>	Date
Chair <i>Debra Stans</i>	Chair
Actions: Fav, Adv, Held (see rev. side) Other: <i>As Amended</i>	Actions: Fav, Adv, Held (see rev. side) Other:
Members	Members
Refer To	Refer To

COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED

DEC 3 2001

ATLANTA CITY COUNCIL

*Amended & Refer*

CERTIFIED

DEC 03 2001

DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 12 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW